

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, OCTOBER 15, 2012 AT 6:30 P.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, COUNTY AUDITOR, DEB VERLEY, ADMINISTRATIVE ASSISTANT, AND PETE FOLEY, COUNTY ATTORNEY, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER.

OFF ROAD VEHICLE DISCUSSION

Norman Voyles stated that the Board received a petition regarding the riding of off road vehicles on county roads. Hugh Steinbrook stated that the petitioners are asking that the state laws regarding riding on the roads apply to county roads. Mr. Steinbrook stated that he talked to DNR and other law enforcement officials and to his understanding, it is not possible to register an ATV in Morgan County in order to travel on public roads. Mr. Steinbrook stated that a \$30 permit for 3 years is available through DNR for counties where it is allowed.

Kenny Hale asked if the registration fee could go into the highway fund for the roads. Pete Foley stated that he did not think this was possible. Mr. Hale stated that he thought golf carts should also be allowed.

Gerry McGrath stated that the off road vehicle operators that he has come in contact with are habitual traffic offenders. Many of the roads have sharp curves with cars driving over the speed limit and he thought it would be too dangerous.

Sheriff Robert Downey stated that the Sheriff's Office does not take issue with the request. State statute states that the operator must have a valid driver's license to operate on the road. The habitual traffic offenders can be cited or arrested if they do not have a valid driver's license. Sheriff Downey talked to sheriffs in other counties and they have not had issues with it. Brian Goss stated that he talked with the sheriff in Greene County who told him that ATV accidents have gone down since they passed the ordinance. Sheriff Downey stated that he did not think there would be an influx of ATV traffic; it would allow people who are now violating a traffic law to be legal.

Don Adams asked about restricting access on certain high traffic roads. Mr. Foley stated that they could amend the ordinance if problems developed. Mr. Foley stated that vehicle traffic laws would also apply to the ATVs.

Brian Knoy, DNR Conservation Officer, stated that he could not state a preference either for or against the ordinance, but informed the Board that they could make the ordinance as restrictive as they liked and asked if they had any questions. Norman Voyles asked what the \$30 permit goes towards. Mr. Knoy stated that it is used for enforcement efforts for ATV traffic and purchases or maintains property for the use of off road vehicles. Mr. Knoy stated that in order to avoid problems, they need to get the word out regarding the rules and regulations. Mr. Knoy stated that golf carts are addressed under a separate statute; they are not considered an off road vehicle.

There were comments from the floor regarding golf carts. Mr. Foley stated that they are under a different statute.

Don Adams and Brian Goss stated that they did not take issue with the request. Mr. Goss stated that he thought there were high traffic roads that ATVs should not be allowed to travel on and he did not want the county to be liable for an accident. Mr. Foley stated that someone could sue the county, but that state statute authorizes that ATVs are allowed as long as the county allows it. The board authorized Mr. Foley to draft an ordinance for the next meeting. Mr. Goss asked if language could be added to address a three-time violator. Mr. Foley stated that he would look into it.

PUBLIC SAFETY DISPATCH BOARD

Sheriff Robert Downey stated that at the last Public Safety Dispatch Board meeting, the board recommended to move forward with one consultant, Pyramid. The board felt that Pyramid had more knowledge and would be a good fit. Pete Foley stated that the Board of Commissioners would then determine the scope of work and other details. Brian Goss made a motion to accept the recommendation. Motion seconded by Don Adams. Motion carried 3-0.

MEMORANDUM OF UNDERSTANDING

Pete Foley submitted a draft Memorandum of Understanding regarding the Public Safety Dispatch Board. Norman Voyles asked that any comments or changes be given to Mr. Foley and the document will then be forwarded on to Martinsville and Mooresville for their comments. Mr. Foley stated that memorandum asks for some commitment from each entity, city, town, and county to move toward the common goal of a dispatch center.

CONTRACTS WITH RELATIVES DISCLOSURE

Norman Voyles stated that Brian Goss has informed the Board that a relative submitted a quote for work to be done on the Administration Building and because of the possible contract, he submitted a disclosure form. Don Adams made a motion to accept the Contract with a Relative Form. Motion seconded by Norman Voyles. Motion carried 2-0. Brian Goss abstained.

QUOTES – PAINTING ADMINISTRATION BUILDING

Norman Voyles opened a quote from Tim Goss Masonry for painting the blocks on the southwest and northwest corners of the Administration Building. The amount was for \$775.00. Don Adams made a motion to approve the quote. Motion seconded by Norman Voyles. Motion carried 2-0. Brian Goss abstained.

SPEED LIMIT ORDINANCE *Peavine Road*

Norman Voyles stated that he had a request for a speed limit reduction on Peavine Road. The current speed limit is either 40 or 45 MPH. Sheriff Downey stated that 35 MPH would be fair on that road. Brian Goss made a motion to reduce the speed limit on Peavine Road to 35 MPH. Motion seconded by Don Adams. Gerry McGrath stated that a sign will not slow them down. Brian Goss stated that it would need to be enforced. Motion carried 3-0.

PROLIANCE AGREEMENT

Norman Voyles stated that a few months ago, the Board entered into an agreement with ProLiance to furnish natural gas to the jail at a wholesale rate. The remaining county buildings are now eligible to receive the same rate. Don Adams made a motion to approve the agreement with ProLiance. Motion seconded by Brian Goss. Motion carried 3-0.

MINUTES

Brian Goss made a motion to approve the September 17 and October 1, 2012 minutes. Motion seconded by Don Adams. Motion carried 3-0.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, noted that tomorrow is National Boss Day and stated that he has enjoyed the 37 years he has worked for the county and hoped he had a few more.

Because of the damage from the winds yesterday, crews have been cutting trees and cleaning up damage. Crews have also been mowing, dirt loading, patching, and preparing for winter.

SHERIFF / JAIL UPDATE

Sheriff Robert Downey reported that there are 318 inmates at the jail, 61 of which are female. Thirteen inmates are on work release, 12 males and 1 female. There are 21 inmates on the jail corrections crew, 17 males, 4 females. The president of the Fall Foliage Board commended the work that the jail corrections crew does for the community. There are 18 DOC inmates, 17 male and 1 female. There were 7,791 law enforcement calls for the year, and 12,880 CAD calls for the year.

ENGINEER UPDATE

Larry Smith, Morgan County Highway Engineer, requested approval of a letter stating that no additional highway right of way was acquired for the sign project. The project will be ready to bid in January. Don Adams made a motion to approve the letter. Motion seconded by Brian Goss. Motion carried 3-0.

Mr. Smith stated that the RFP (Request For Proposal) for the project was due today and they received four of them. He will rate them and bring back the information at the next meeting. The RFP for the Landersdale Trail is due on the 19th.

The contractor did not start the Cox Road project last week but will start this week instead.

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

Norman Voyles

Attest:

Brian Goss

Brenda Adams, Morgan Co. Auditor

Don Adams